

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

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BRUCE N. SAFFRAN, Ph.D., M.D., §  
§  
Plaintiff, § CIVIL NO. 2:07-cv-00451 (TJW)  
v. § JURY TRIAL  
JOHNSON AND JOHNSON, and §  
CORDIS CORPORATION, §  
§  
Defendants. §

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**ORDER GRANTING PLAINTIFF'S MOTION TO COMPEL DEFENDANTS'  
COMPLIANCE WITH P.R. 3-3**

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Plaintiff's motion to compel Defendants Johnson & Johnson ("J&J") and Cordis Corporation ("Cordis") to serve new Invalidity Contentions complying with Local Rule P.R. 3-3(b) is GRANTED. Defendants are ORDERED to immediately serve replacement Invalidity Contentions replacing the Invalidity Contentions jointly prepared and served by Defendants on November 10, 2008. Defendants replacement Invalidity Contentions shall identify the specific combinations of references that allegedly rendered the claims of U.S. Patent 5,653,760 ("the '760 patent") invalid as obvious, identify the claims of the '760 patent that are allegedly rendered obvious by each identified combination of prior art references, and identify the specific motivation to make each such combination. Defendants shall notify the Court of compliance with this order no later than February 9, 2009.

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